

SDMS US EPA REGION V -1

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December 2, 1989

VIA FEDERAL EXPRESS

Christine Zeman, Esq.
Assistant Attorney General
Office of Attorney General
Environmental Control Division
500 South Second Street
Springfield, Illinois 62706

Re: Sauget Sites -- Area II

Dear Ms. Zeman:

As a follow-up to our November 27, 1989 meeting in Springfield, Illinois, I enclose supplemental documents supporting the issuance of PRP notification letters and information requests to several additional PRPs.

First, enclosed is a copy of title search documentation reflecting the ownership of property apparently within the metes and bounds of Site Q, the Sauget landfill. These documents indicate that the following companies held title to parcels within Site Q during the relevant period of disposal at Site Q: Phillips Petroleum Company, Pillsbury Company, Patgood, Inc., Peavey Company, Con-Agra, Inc., Cahokia Trust, Donald C. Elsaesser, or Successor Trustee, Robert H. McRoberts, or Successor Trustee, Russell P. Richardson, or Successor Trustee, St. Louis Union Trust, River Port Fleeting, Inc., Notre Dame Fleeting and Towing Service, Inc., and Fred H. Leyhe.

Second, with respect to the involvement of Union Electric Company at Site Q, we would refer you to Section 2, Pages 58-64, of the August, 1988 report by Ecology & Environment, Inc., an Illinois EPA contractor. This report clearly indicates that Union Electric Company operated several fly ash ponds at Site Q during the relevant period of disposal at Site Q.

KIRKLAND & ELLIS

Ms. Christine Zeman, Esq.
December 2, 1989
Page Two

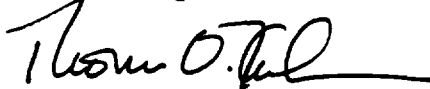
Third, our understanding is that Sterling Steel Casting Company is otherwise known as Sterling Steel Foundry, Inc. However, we further understand that the Sterling Steel entity sold or transferred certain assets used in the generation of hazardous waste to St. Louis Steel Foundry, Inc. in Sauget, Illinois.

Fourth, with respect to Site O -- Sauget Treatment Plant pits and lagoons, we identified the following additional PRPs that should be issued PRP notification letters and information requests: Mobil Oil Corporation, Ethyl Corporation, Goldfields American Corporation, Blue Tee Corporation, Russell Bliss, Rodgers Cartage, Wiese Planning & Engineering, Inc. and the Sauget Sanitary District Research Association ("SSDRA"). Our understanding is that each of these companies either discharged wastes to the pits and lagoons or operated the treatment plants. We understand that the SSDRA has custody or control of those documents which reflect the nature and volume of wastes discharged and disposed of by the above companies at Site O. We would suggest that you direct an information request to the SSDRA seeking this information, all of which should be publicly available. In the alternative, some of this information may be in the discharge monitoring reports filed regularly by the SSDRA with the Illinois EPA, Division of Water Pollution Control.

Finally, supplemental information regarding additional generator PRPs at Site Q may possibly be obtained by issuing an administrative deposition subpoena to the operator/owner of the Sauget landfill, Paul Sauget.

Should you have questions regarding the enclosure, please call me.

Sincerely,



Thomas O. Kuhns

Enclosure

SAS100R

PROPERTY DESCRIPTION

Subject property consists of two parcels of land located on the south side of Riverview Avenue and being part of the Third Subdivision of Cahokia Commons in St. Clair County, Illinois.

Parcel #1 is identified by St. Clair County as Parcel #01-27-400-015 and contains 164.67 acres. It has a total assessed valuation of \$27,950.

Parcel #2 is identified by St. Clair County as Parcel #01-34-100-006 and contains 63.33 acres. It has a total assessed valuation of \$10,710.

TRANSFER NUMBER 1
PARCEL NUMBER 01-27-400-015

Book/Page: Deed recorded in Book 2376, Page 834 through 847.

Date: The instrument was dated December 31, 1974 and filed for record January 30, 1975.

Grantor: Fred H. Leyhe and Louise K. Leyhe, his wife.

Grantee: River Port Fleeting, Inc.
Suite 1 252
Pierce Building
St. Louis, MO 63102

Remarks: Deed prepared by William H. Leyhe, III, Attorney
Suite 653, 7701 Forsyth
Clayton, MO 63105

TRANSFER NUMBER 2

PARCEL NUMBER 01-27-400-015 & PARCEL NUMBER 01-34-100-006

Parcel Number 01-27-400-015

Book/Page: Book 2344, Trustee's Deed Page 164 through 170, Mortgage Page 171 through 186.

Date: March 30, 1973.

Grantors: Donald C. Elsaesser, Robert H. McRoberts (Successor Trustee to Charles E. Richardson, deceased), and Russell P. Richardson, not individually but as Trustees under Deed dated December 26, 1928 recorded in Book 723, Page 371 of the St. Clair County Records, extended and modified December 17, 1968 and recorded as Document Number A303205 in Book 2155, Page 25-54 of the St. Clair County Records.

Grantee: Fred H. Leyhe.

Mortgage: Mortgagor - Fred H. Leyhe and Louise K. Leyhe, Mortgagee - Grantors. Loan amount \$1,526,430.00 with interest at 7% per annum payable in annual installments (14 at \$101,762, one at unpaid balance), last payment due and payable April 2, 1988.

Parcel Number 01-34-100-006

Book/Page: Book 2344, Trustee's Deed Page 187 through 193, Mortgage Page 194 through 209.

Date: March 30, 1973.

Grantors: Same as above.

Grantee: Notre Dame Fleeting and Towing Service, Inc., a Missouri Corporation.

Mortgage: Mortgagor - same as Grantee, executed by Fred H. Leyhe, President and attested by Gordon I. Herzog, Secretary; Mortgagee - same as Grantor. Loan amount \$1,156,736.00 at 7% per annum payable in 15 annual installments with the last payment of \$77,115.73 due April 2, 1988.

TRANSFER NUMBER 3

(Both Parcels)

Book/Page: Book 2155, Page 25 through 54.

Date: December 17, 1968.

Grantor: St. Louis Union Trust, Robert H. McRoberts, Pauline S. Eades, Trustees (23% of 24/126 interest in Trust).
St. Louis Union Trust, Robert H. McRoberts, Carolyn Essmann, Trustees (77% of 24/126 interest in Trust).
Pauline S. Eades (formerly Pitzman) and Dr. Dee W. Eades, her husband, Trustees (18/126).
Russell P. Richardson and Irma Richardson, his wife, Trustees (11/126).
Lucy R. Hurst and James L. Hurst, her husband, Trustees, (11/126).
Louise P. Lucas, a widow, Trustee, (18/126).
St. Louis Union Trust, Charles E. Richardson, Trustees (44/126).

Grantee: Donald C. Elsaesser, Charles E. Richardson, Russell P. Richardson, Trustees.

Remarks: This instrument is an "Extension of Agreement" extending the Trust established by Deed recorded in Book 723, Page 371 which conveyed properties to Fredrick Pitzman and Josephine E. Methudy, Trustees. Between the time the Deed was recorded in Book 723, Page 371, December 26, 1928, and the date of this "Extension of Agreement", December 17, 1968, this Deed was extended three times as follows:
September 23, 1938, Book 885, Page 336.
September 20, 1948, Book 1121, Page 391.
November 26, 1958, Book 1594, Page 391.

The "Extension of Agreement" dated December 17, 1968 extended the Trust to December 26, 1978 and among other things gave the Trustees the authority to deed properties.

TRANSFER NUMBER 4

(Both Parcels)

Book/Page: Book 723, Page 371 through 381.

Date: December 26, 1928.

Grantor: Pitzman Interest -
Fredrick Pitzman, a single person, 1/8 interest.
Marsh Pitzman, a single person, 1/8 interest.
Louise P. Lucas and Oliver G. Lucas, her husband, 1/8 interest.
Florence P. Herman and Edward Herman, her husband, 1/8 interest.

Kehr Interest -
Josephine E. Methudy, a single person, 1/8 interest.
Eugene R. Methudy and Frances K. Methudy, his wife, 1/8 interest.
Edward J. Methudy and Laura B. Methudy, his wife, 1/8 interest.
Lucy E. L. Richardson and Russell A. Richardson, her husband, 1/8 interest.

Grantee: Fredrick Pitzman (representing the beneficial interest of Julius Pitzman) and Josephine E. Methudy (representing the beneficial interest of Edward C. Kehr).

Remarks: This document was titled "Cahokia Trust Agreement" which made the Grantees Trustees of the Grantors. 13 parcels were conveyed to the Trustees and any "other property owned by Julius Pitzman and Edward C. Kehr that said Julius Pitzman and Edward C. Kehr owned as tenants in common at the time of Kehrs death", whether those properties were described in this instrument or not. The Trustees were given the power to sell.

TRANSFER NUMBER 5

(Both Parcels)

Book/Page: Book 523, Page 69 through 75.

Date: May 22, 1918.

Grantor: Julius Pitzman and Caroline Pitzman, his wife.
Josephine E. Methudy, a single person.
Lucy E. I. Richardson and Russell Richardson, her husband.
Eugene R. Methudy and Edna Methudy, his wife.
Edward J. Methudy, a single person.

Grantee: Julius Pitzman and Josephine E. Methudy.

Remarks: This Deed conveyed 20 parcels of real estate and all "other property owned by Julius Pitzman and Edward C. Kehr as tenants in common at the time of Kehrs death". The 20 legal descriptions in this instrument were of such a broad description that subject parcels could have been any one of a number of properties described or could have been those properties described as "all other properties owned by Pitzman and Kehr at the time of Kehrs death".

Grantees were "imposed upon" to serve as Trustees and Josephine E. Methudy was described as the Executrix and Legatee of Edward C. Kehr. At death, Kehr left his interest in real estate as follows:

Julius Pitzman (1/2).
Josephine E. Methudy (1/8).
Lucy E. I. Richardson (1/8).
Eugene R. Methudy (1/8).
Edward J. Methudy (1/8).

Since Julius Pitzman and Edward C. Kehr were tenants in common in these properties, after Kehr left a 1/2 interest in his properties to Julius Pitzman, Pitzman should have then had approximately 3/4's interest in the real estate.

TRANSFER NUMBER 6

The document recorded in Book 523, Page 69 through 75 and dated May 22, 1918, ties subject parcels from 1918 to present. In order to tie Julius Pitzman and Edward C. Kehr to the document of May 22, 1918, a Deed or other instrument must be found conveying interest in subject parcels to them. The following table is a listing of properties conveyed to Julius Pitzman, Julius Pitzman, et al, or Julius Pitzman and Edward C. Kehr from a period of time between 1877 and 1907. In order to tie Pitzman and Kehr to the document of May 22, 1918, each one of these instruments would have to be reviewed.

The document most likely to connect these individuals would be one dated January 14, 1892 (recorded in Book 217, Page 353) whereby Edward C. Kehr conveyed an undivided 1/2 interest to Julius Pitzman. However, because the description of the properties conveyed in this instrument were of such a general nature (that is, describing tracts of land that could include subject property plus much more property) it is very difficult to determine the exact document connecting these individuals to the document of May 22, 1918. Further, this is only a listing of the properties acquired by Pitzman. A similar list for Kehr would have to be obtained and reviewed.

<u>Date</u>	<u>Grantee</u>	<u>Grantor</u>	<u>Book/Page</u>
12/19/1877	Julius Pitzman	Surwald Clara	166/253
3/8/1882	Julius Pitzman	Borsmenue Josephine	165/92
3/7/1883	Julius Pitzman	Cahokia by Supervising	169/546
5/7/1887	Julius Pitzman	Rombauer Real Estate	190/123
10/3/1889	Julius Pitzman, et al	Koerner Gustavus	206/46
1/14/1892	Julius Pitzman, et al (undivided 1/2 interest)	Kehr, Edward C.	217/353
12/3/1892	Julius Pitzman, et al	Carlton, James N. & wife	231/402
12/3/1892	Julius Pitzman, et al	Neel, James Canlounge	231/402
12/2/1893	Julius Pitzman	Kehr, Edward C.	224/422
3/31/1896	Julius Pitzman, et al	McCracken, Nick et al	201/357
3/31/1896	Julius Pitzman, et al	McCracken, Nick et al	201/358
5/1/1896	Julius Pitzman, et al	Cahokia, Village of	244/552
5/1/1896	Julius Pitzman, et al	Cahokia, Village of	244/553
6/22/1898	Julius Pitzman, et al	Lavalle, Francis by Exec.	262/144
7/20/1898	Julius Pitzman, et al	Brachett, Louise	262/260
7/25/1898	Julius Pitzman, et al	Comderalle, Mary	252/482
8/27/1898	Julius Pitzman, et al	Droit, Camille W.	262/394
11/16/1898	Julius Pitzman Trustee et al	Karr, A.	266/345
11/16/1898	Julius Pitzman Trustee et al	Kehr, Edward C., et al	266/345

TRANSFER NUMBER 6

<u>Date</u>	<u>Grantee</u>	<u>Grantee</u>	<u>Book/Page</u>
11/16/1898	Julius Pitzman Trustee etal	Franklin Bank	266/345
11/16/1898	Julius Pitzman Trustee etal	Perio Cinderalle	264/13
2/15/1899	Julius Pitzman, etal	Palmier, Mary	252/581
3/7/1899	Julius Pitzman, etal	Doerr	264/364
5/26/1899	Julius Pitzman, etal	Bordeaux Lizzee	270/143
5/26/1899	Julius Pitzman, etal	Gerber Rose, etal	270/143
6/11/1900	Julius Pitzman, etal	St. Louis Belle-South	268/310
6/11/1900	Julius Pitzman, etal	Jarvis, George F.	278/179
1/2/1901	Julius Pitzman	St. John Frederick	228/627
7/11/1901	Julius Pitzman	Cahokia	292/70
7/11/1901	Julius Pitzman	Cahokia	268/551
7/11/1901	Julius Pitzman	Cahokia	292/71
7/11/1901	Julius Pitzman	Cahokia	292/72
7/11/1901	Julius Pitzman	Cahokia	292/73
7/14/1903	Julius Pitzman, etal	Bosancon, Adeline	318/11
12/15/1906	Julius Pitzman, etal	Martin, Charles	356/509
8/8/1907	Julius Pitzman, etal	Marigold August	372/350

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